



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugaisky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Albert L. Ferro*
Donald R. Banowitz
Peter A. Jackman
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Eldora Ellison Floyd
Thomas C. Fiala
Brian J. Del Buono
Virgil Lee Beaton
Theodore A. Wood
Elizabeth J. Haanes

Joseph S. Ostroff
Frank R. Cottingham
Christine M. Lhulier
Rae Lynn Prengaman
George S. Bardmesser
Daniel A. Klein*
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller*
LuAnne M. DeSantis
Ann E. Summerfield
Tiera S. Coston
Aric W. Ledford*
Helene C. Carlson
Timothy A. Doyle*
Jessica L. Parezo
Gaby L. Longworth*

Lori A. Gordon*
Nicole D. Dretar*
Ted J. Ebersole
Jyoti C. Iyer*
Laura A. Vogel

Registered Patent Agents*
Karen R. Markowicz
Nancy J. Leith
Matthew J. Dowd
Aaron L. Schwartz
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford
Michelle K. Holoubek

Robert H. DeSelms
Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse
Michael G. Penn
Christopher J. Walsh

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie

* Admitted only in Maryland
* Admitted only in Virginia
* Practice Limited to Federal Agencies

August 18, 2004

WRITER'S DIRECT NUMBER:
(202) 772-8643

INTERNET ADDRESS:
AFERRO@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 2644
Examiner: To Be Assigned
Confirmation No.: 2042

Re: U.S. Utility Patent Application
Application No. 10/692,692; Filed: October 27, 2003
For: **Multi-Channel Audio Surround Sound from Front Located
Loudspeakers**
Inventor: Matthew S. POLK, Jr.
Our Ref: 1865.0840000/ALF

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. List of Documents cited on Form PTO/SB/08a (2 pages); and
3. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
August 18, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

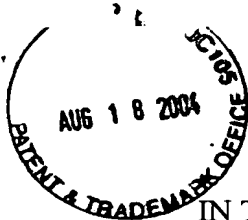
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read 'ALF', with a long horizontal flourish extending to the right.

Albert L. Ferro
Attorney for Applicant
Registration No. 44,679

ALF/awt
Enclosures

299720_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

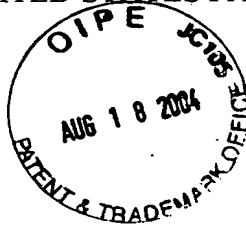
In re application of:

Matthew S. POLK, Jr.

Appl. No.: 10/692,692

Filed: October 27, 2003

For: **Multi-Channel Audio Surround
Sound from Front Located
Loudspeakers**



Confirmation No.: 2042

Art Unit: 2644

Examiner: *To Be Assigned*

Atty. Docket: 1865.0840000/ALF

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO/SB/08a are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicant has listed publication dates on the attached PTO/SB/08a based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicant has checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first

cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).

☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 7. Copies of the documents are submitted herewith.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☒ 9. No copies of U.S. patents and patent application publications cited on the attached Form PTO/SB/08a are submitted in accordance with 1276 OG 55 because this application was filed after June 30, 2003.

- ☐ 10. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). _____ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO/SB/08a, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



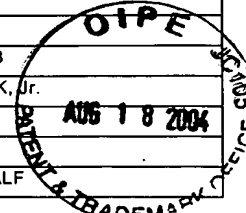
Albert L. Ferro
Attorney for Applicant
Registration No. 44,679

Date: August 18, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600
299708_1.DOC

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete If Known Application Number 10/692,692 Filing Date October 27, 2003 First Named Inventor Matthew S. POLK, Jr. Art Unit 2644 Examiner Name To Be Assigned Attorney Docket Number 1865.0/840000/ALF	
Sheet	1	of	2		



Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (If Known)			
	AA1	US-4,199,658	04-22-1980	Iwahara	
	AB1	US-4,489,432	12-18-1984	Polk	
	AC1	US-4,497,064	01-29-1985	Polk	
	AD1	US-4,569,074	02-04-1986	Polk	
	AE1	US-4,630,298	12-16-1986	Polk <i>et al.</i>	
	AF1	US-4,748,669	05-31-1988	Klayman	
	AG1	US-4,847,904	07-11-1989	McShane	
	AH1	US-4,893,342	01-09-1990	Cooper <i>et al.</i>	
	AI1	US-4,910,779	03-20-1990	Cooper <i>et al.</i>	
	AJ1	US-4,975,954	12-04-1990	Cooper <i>et al.</i>	
	AK1	US-5,034,983	07-23-1991	Cooper <i>et al.</i>	
	AL1	US-5,117,459	05-26-1992	McShane	
	AM1	US-5,136,651	08-04-1992	Cooper <i>et al.</i>	
	AN1	US-5,263,086	11-16-1993	Yamazaki	
	AO1	US-5,265,166	11-23-1993	Madnick <i>et al.</i>	
	AP1	US-5,533,129	07-02-1996	Gefvert	
	AQ1	US-5,333,200	07-26-1994	Cooper <i>et al.</i>	
	AR1	US-5,438,623	08-01-1995	Begault	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ⁴ Kind Code ⁵ (in known)				

Examiner Signature		Date Considered	
--------------------	--	--------------------	--

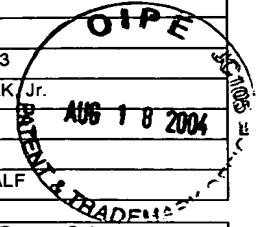
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO		Complete If Known			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/692,692		
		Filing Date	October 27, 2003		
		First Named Inventor	Matthew S. POLK, Jr.		
		Art Unit	2644		
		Examiner Name	To Be Assigned		
Sheet	2	of	2	Attorney Docket Number	1865.0840000/ALF



Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA2	US-5,459,790	10-17-1995	Scofield <i>et al.</i>	
	AB2	US-5,579,396	11-26-1996	Iida <i>et al.</i>	
	AC2	US-5,581,618	12-03-1996	Satoshi <i>et al.</i>	
	AD2	US-5,590,204	12-31-1996	Lee	
	AE2	US-5,594,801	01-14-1997	McShane	
	AF2	US-5,598,478	01-28-1997	Tanaka <i>et al.</i>	
	AG2	US-5,684,881	11-04-1997	Serikawa <i>et al.</i>	
	AH2	US-5,703,955	12-30-1997	Fels <i>et al.</i>	
	AI2	US-5,740,253	04-14-1998	Takeuchi	
	AJ2	US-5,799,094	08-25-1998	Mouri	
	AK2	US-5,912,976	06-15-1999	Klayman <i>et al.</i>	
	AL2	US-6,026,169	02-15-2000	Fujimori	
	AM2	US-6,052,470	04-18-2000	Mouri	
	AN2	US-6,160,894	12-12-2000	Kishigami <i>et al.</i>	
	AO2	US-6,173,061 B1	01-09-2001	Norris <i>et al.</i>	
	AP2	US-6,307,941 B1	10-23-2001	Tanner, Jr., <i>et al.</i>	
		US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ⁴ Kind Code ⁵ (in known)				

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

299394_1.DOC